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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**EX PARTE MOTION FOR LEAVE  
TO FILE OVER-LENGTH REPLY  
MEMORANDUM**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) hereby moves the Court pursuant to District Court Rule 7-1(e) for leave to file an over-length Reply Memorandum in Further Support of SCO’s Motion for Relief For IBM’s Spoliation of Evidence (the “Reply

Memorandum”) that consists of 23 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO’s Motion is made upon the grounds that the Reply Memorandum of the indicated length is necessary given the complex nature of the issues raised by both SCO’s Spoliation Motion and by IBM’s Opposition to that Motion.

SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully and fairly address the issues being placed before the Court.

SCO respectfully requests that it be allowed to file its Reply Memorandum containing 23 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 1<sup>st</sup> day of December, 2006.

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By: /s/ Brent O. Hatch  
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